

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

LOUIS A. GENCARELLI, SR.,

Appellant,

v.

C.A. No. 05-257T

UPS CAPITAL BUSINESS CREDIT,

Appellee.

ORDER GRANTING APPELLEE'S MOTION TO DISMISS

UPS Capital Business Credit's (UPS) Motion to Dismiss Gencarelli's appeal from the denial of his Motion to Reconsider is hereby granted on the ground that the Bankruptcy Court has supportably found excusable neglect for the fact that UPS was one day late in filing its notice of appeal from the disallowance of its claim for prepayment premiums.

IT IS SO ORDERED,

Ernest C. Torres
Ernest C. Torres, Chief Judge
Date: July 19 , 2005